

persons or property, or both, within such areas.⁹ The right so reserved may be exercised if it does not interfere with Government functions. There is an increasing tendency on the part of States, in ceding jurisdiction to reserve the right to apply their tax laws within the ceded area.

73. Federal statutes consenting to State taxation within areas under exclusive Federal jurisdiction.—An act of Congress approved October 9, 1940 (54 Stat. 1060, U. S. C., Title 4, Sec. 14, known as the "Buck Act,"¹⁰ authorizes States to extend their sales, use and income taxes to persons residing or carrying on business or to transactions occurring in Federal areas. However, this act expressly provides that its provisions "shall not be deemed to authorize the levy or collection of any tax on or from the United States or any instrumentality thereof, or the levy or collection of any tax with respect to sale, purchase, storage or use of tangible personal property sold by the United States or any instrumentality thereof to any authorized purchaser." In this connection the courts have recognized that army post exchanges are instrumentalities of the United States within the contemplation of the Buck Act and that the operation of such exchanges are therefore not subject to State taxation under the act.¹¹ However, an act of Congress approved June 16, 1936 (49 Stat. 1521, U. S. C., Title 23, Sec. 55A),¹² authorizes the collection of taxes levied by States on the sale of gasoline and other motor fuels to post exchanges, ship stores, ship service stores and other similar agencies located on United States Military or other reservations when such fuels are not for the exclusive use of the United States.

CHAPTER XII

JURISDICTION OVER THE DISTRICT OF COLUMBIA AND WITHIN FEDERAL RESERVATIONS SITUATED WITHIN TERRITORIES AND INSULAR POSSESSIONS OF THE UNITED STATES

74. District of Columbia.—The United States has exclusive jurisdiction within the District of Columbia for all purposes. By the Constitution, Art. I, Sec. 8, Cl. 17, Congress is given power to exercise exclusive legislation in all cases whatsoever over the District of Columbia. The power of Congress to legislate for the District includes not only the powers that belong to Congress with respect to territory of the United States within a State, but the powers of the State as well, a delegation which embraces full and unlimited jurisdiction, subject only to the prohibitions of the Constitution, to provide for the general welfare of the citizens within

⁹ See Digest of State Cession Statutes, Appendix II.

¹⁰ See Appendix I.

¹¹ *Falls City Brewing Co. v. Reeves*, 40 Fed. Sup. 35; *Query v. United States*, 121 Fed. (2) 631. See *Kiker v. Philadelphia*, 31 A. (2) 289.

¹² See Appendix I.